

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## ME2 PRODUCTIONS, INC.,

Plaintiff,

V.

WHENDI PHIPPS, *et al.*,

## Defendants.

Case No. C16-1953RSL

ORDER REINSTATING CLAIMS  
AGAINST WHENDI PHIPPS,  
CLINTON HENDERSON, AND  
RACHEL KRON

This matter comes before the Court on plaintiff's "Motion to Set Aside Dismissal."

Dkt. # 33. On March 16, 2017, the Court granted an extension of time in which to affect service in this matter. Plaintiff was given “an additional forty-five days, until May 5, 2017, to file proofs of waiver as to all defendants or a second motion for extension of time detailing the efforts made toward effecting personal service.” Dkt. # 12 at 2. Plaintiff failed to timely file proof of service or waiver as to ten defendants, and the claims against them were dismissed on May 11, 2017.

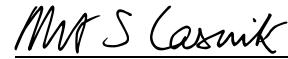
Plaintiff has now filed proof that service was in fact achieved on three of the defendants, Whendi Phipps, Clinton Henderson, and Rachel Kron, within the time allowed. The failure to comply with the Court's order requiring filing by a certain date is nevertheless troubling. Inadvertence in light of the Court's repeated indications that it will strictly enforce the service deadlines does not constitute good cause. Because this is the first time this particular situation has arisen (at least before the undersigned), the motion

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1 to set aside is GRANTED. The claims against Whendi Phipps, Clinton Henderson, and  
2 Rachel Kron are hereby reinstated.<sup>1</sup> Counsel is advised, however, that future failures to  
3 comply with service requirements and orders of the Court will not be excused absent  
4 good cause.

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6 Dated this 12th day of May, 2017.

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10 Robert S. Lasnik  
11 United States District Judge  
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22 <sup>1</sup> Plaintiff also submitted “Stipulations of Dismissal with Prejudice” as to four other  
23 defendants and argues that “the stipulations of dismissal should be recognized as they are with  
24 prejudice per the Confidential Settlement Agreements with each party.” Dkt. # 33 at 2. No  
25 information is provided regarding the dates of the settlement agreements, no arguments are  
26 asserted regarding the effect of the dismissal on May 11, 2007, if any, and the nature of the  
requested “recognition” is unclear. The Court takes notice that the stipulated dismissals are  
undated and were filed on May 11, 2017.

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